

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ROY E. NAOUMI,

Plaintiff,

vs.

MICHAEL J. ASTRUE, COMMISSIONER OF
 SOCIAL SECURITY ADMINISTRATION,

Defendant.

Case No. 2:12-cv-01140-JCM-PAL

ORDER

This matter is before the court based on the court's review of the docket. Plaintiff is proceeding in this action for Social Security disability benefits in forma pauperis but is represented by counsel.

On July 31, 2012, the court entered an Order (Dkt. #6) screening Plaintiff's Complaint (Dkt. #1) pursuant to 28 U.S.C. § 1915 and directing the Clerk of Court to serve the Complaint pursuant to Rule 4(i) of the Federal Rules of Civil Procedure. Specifically, the Screening Order directed the Clerk of the Court to issue summons for and serve process upon the Office of General Counsel for the Social Security Administration in Baltimore, Maryland; and the Attorney General in Washington, D.C.¹ See Order (Dkt. #6). The Clerk issued Summons (Dkt. #7) and mailed them with the Complaint to the Office of General Counsel and the Attorney General by certified mail as directed in the Screening Order. See Certified Mail Receipts (Dkt. #8). The docket reflects that service is complete on the Office

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¹Additionally, in an Order (Dkt. #14) entered October 24, 2012, the court directed service on the Office of Regional Chief Counsel for Region IX of the Social Security Administration in San Francisco, California, pursuant to 70 Fed. Reg. 73320 (Dec. 9, 2005); 20 C.F.R. § 423.1. The Clerk complied, and service was returned executed. See Certificate of Service (Dkt. #16).

1 of General Counsel. *See* Summons Returned Executed (Dkt. #9). No certified mail return receipt has
2 been filed confirming service on the United States Attorney General.

3 Additionally, the Screening Order (Dkt. #6) directed the Clerk of Court to issue summons to the
4 United States Attorney for the District of Nevada and deliver the summons to the U.S. Marshal for
5 service. The Clerk issued Summons (Dkt. #7), but the docket does not reflect that it was delivered with
6 the Complaint to the U.S. Marshal for service or that the U.S. Marshal has effected service of process
7 on the United States Attorney.

8 Having reviewed and considered the matter,

9 **IT IS ORDERED:**

- 10 1. The Clerk of the Court shall serve the United States Attorney for the District of Nevada
11 by delivering a copy of the Summons (Dkt. #7) and Complaint (Dkt. #1) to the U.S.
12 Marshal for service or file proof of service if service has been effected.
- 13 2. The Clerk of Court shall also re-serve the United States Attorney General with the
14 Summons (Dkt. #7) and Complaint (Dkt. #1) by certified mail and file proof of mailing
15 and effective service.

16 Dated this 30th day of January, 2013.

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19 PEGGY A. GREEN
20 UNITED STATES MAGISTRATE JUDGE
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